

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE: WASHINGTON MUTUAL
MORTGAGE BACKED SECURITIES
LITIGATION

This Document Relates to: ALL CASES

Master Case No.: C09-0037 (MJP)

**DECLARATION OF JASON ROWE IN
SUPPORT OF PLAINTIFFS' RESPONSE
TO DEFENDANTS' MOTION TO
PRECLUDE USE OF UNTIMELY
DISCLOSED WITNESSES PURSUANT
TO FED. R. CIV. P. 37(c)(1)**

ORAL ARGUMENT REQUESTED

DECL. OF JASON ROWE IN SUPPORT OF PLAINTIFFS'
RESPONSE TO DEFS.' MOTION TO PRECLUDE USE
OF UNTIMELY DISCLOSED WITNESSES PURSUANT TO
FED. R. CIV. P. 37(c)(1)
Case No. C09-037 MJP

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1 I, Jason Rowe, hereby declare as follows under penalty of perjury pursuant to 28 U.S.C.
2 §1746, that:

3 1. That I am a licensed Private Investigator in California, license number AA9044. I
4 have operated my business, Jason Rowe Investigation, since 1982 in California. If called as a
5 witness, I could and would competently testify to the following facts, of which I have personal
6 knowledge:

7 2. On approximately January 17, 2012 I was contacted by attorney Anne Box of
8 Scott+Scott LLP, to investigate certain allegations in the complaint by the plaintiff investors in
9 the Washington Mutual ("WaMu") Mortgage Backed Securities Litigation ("MBS") that are the
10 of subject this litigation. The major focus of this investigation was to identify, locate, and
11 interview witnesses, particularly with regard to WaMu's underwriting practices. I was to focus
12 this effort on the time frame that related underwriting guidelines and policies were created; that
13 those loans included in the subject MBS tranches were originated; and the times that
14 prospectuses for the subject MBS were issued and marketed. For these purposes, I focused my
15 efforts on the period of 2004 through 2007.

16 3. Through reading various documents filed in this case and researching WaMu's
17 loan origination and company structure during the relevant times, I familiarized myself with the
18 various titles that employees, including underwriters, were given by WaMu in the relevant
19 period. I researched the media, blogs, and various databases, including public networking sites
20 (the most common was LinkedIn), to identify former employees who worked in various
21 capacities on the loan origination process. These included underwriters, managers, loan
22 processors, closers, loan consultants, brokers, credit analysts, auditors, and others to a lesser
23 degree. During the investigation I also reviewed WaMu documents produced in this matter,
24 which provided leads to potential underwriter witnesses. In researching the profiles of these
25 witnesses on LinkedIn particularly, leads were developed to former underwriters as LinkedIn
26 profiles often include the identities of others in similar positions and links to their profiles.

1 4. I, along with staff members who assisted me in this process, reviewed profiles for
2 hundreds of former WaMu employees, I estimate that this number exceeded 1,000. Of all former
3 employees identified, those who met certain criteria, such as: worked in the related time period
4 and held a position of interest; worked for long enough to have covered at least some of 2005
5 and/or 2006; worked in other capacities of interest; worked at certain locations of interest; or
6 reflected other criteria of interest as the investigation progressed; were then located.
7 Commercially available investigation databases were used to locate most witnesses, or contact
8 information was developed using the internet for witnesses' current places of employment
9 reflected on their profiles.

10 5. I used my normal practice of identifying witnesses in batches, then locating and
11 attempting contacts. I conducted all witness contacts and interviews on this matter myself
12 personally. Upon contacting prospective witnesses, I identified myself as a private investigator
13 working for Scott+Scott which represents pension funds that invested in WaMu MBS containing
14 loans primarily originated between 2004 and 2006. I described that the pension funds
15 represented by counsel in this matter had filed suit on behalf of themselves and others who
16 invested as well, against WaMu entities and certain of its officers; and that the case was in
17 Federal Court in Seattle. If the witness agreed to be interviewed, I either conducted same at the
18 time of contact or scheduled a time convenient for the witness.

19 6. As I made contacts and conducted interviews, my staff and I also continued to
20 identify and locate additional prospects using the same methodology described above. Witnesses
21 I interviewed also identified other witness prospects and these were located as well. If I did not
22 immediately reach a prospect of interest, I continued to attempt periodically on an ongoing basis.
23 After I completed interviews, I reported any factual information developed to attorneys at
24 Scott+Scott.

25 7. I identified Teresa Bondurant ("Bondurant") on LinkedIn and located her using a
26 locate database. I first contacted Teresa Bondurant on 2/1/12 and conducted an interview. I

1 reported the substance of this interview to Scott+Scott on 2/6/12. I re-contacted Bondurant on
2 2/16/12 and conducted a follow-up interview, mainly to identify other witness prospects in the
3 Seattle area. From 2/22/12 to 4/26/12, I made periodic attempts to contact Bondurant for
4 purposes of requesting her to provide a declaration describing the same factual statements she
5 made to me in the interview of 2/1/12. I had further discussions with Bondurant on 4/27/12
6 about her willingness to testify by a declaration. I had final discussions with Bondurant in early
7 May about her willingness to testify by declaration, however, she ultimately declined.

8 8. I identified Karen Fridley ("Fridley") on LinkedIn and then located her through a
9 locate database. I first contacted her on 3/12/12 and conducted an interview. I reported the
10 substance of this interview to Scott+Scott on 3/16/12. I re-contacted Fridley on 3/16/12 to
11 conduct a follow-up interview and also discussed with her the possibility of testifying by
12 declaration. On 4/9/12, Fridley declined to testify by declaration.

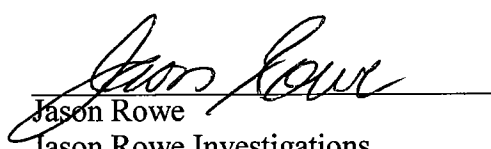
13 9. I identified Diane Jeanty ("Jeanty") on LinkedIn and located her using a locate
14 database. I first contacted her on 3/30/12 and conducted an interview. I reported the substance
15 of this interview to Scott+Scott on 3/30/12. I re-contacted Jeanty later the same day to conduct a
16 follow-up interview, and discussed the possibility of her testifying by declaration. On 5/7/12,
17 Jeanty signed her declaration and I transferred her signed declaration to Scott+Scott, which is
18 attached hereto as Exhibit A.

19 10. I identified Denise Luedtke ("Luedtke") on LinkedIn and located her using a
20 locate database. I first contacted her on 4/26/12 and conducted an interview. I also discussed the
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1 possibility of her testifying by declaration. On 5/9/12, Luedtke signed her declaration, which I
2 then transferred to Scott+Scott the same day, which is attached hereto as Exhibit B.

3 I declare under penalty of perjury that the foregoing is true.

4 Executed at Tarzana, CA on June 11, 2012.

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6 
Jason Rowe

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CERTIFICATE OF SERVICE

I hereby certify that on June 11, 2012, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List, and I hereby certify that I caused the foregoing document or paper to be mailed via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 11, 2012.

/s/ Anne L. Box

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